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IN THE CIRCUIT COURT FOR MONTGOMERY COUNTY, TENNESSEE

DAVIE STACKER,

)

Plaintiff,

)

vs.

)

WALMART, INC., d/b/a WALMART  
SUPERCENTER

)

No. CC 2020CV1401

JURY DEMAND

Defendant.

)

Judge Assigned

BOSS H HICKS

COMPLAINT

1. Plaintiff, DAVIE STACKER, is a citizen and resident of Montgomery County, Tennessee, and submits that the Montgomery County, Tennessee, Civil Circuit Court is the proper jurisdiction and venue for bringing this action.

2. Defendant, WALMART, INC. is a corporation registered to conduct business in Tennessee. Defendant, WALMART, INC., owned and operated a retail store doing business as Walmart Supercenter in Montgomery County at 3050 Wilma Rudolph Boulevard, Clarksville, Tennessee 37040, at all relevant times referenced below.

3. Defendant, WALMART, INC., maintains a principal office address at 708 SW 8<sup>th</sup> Street, Bentonville, Arkansas 72712-6209. Defendant, WALMART, INC., designated CT CORPORATION SYSTEM to accept service of process on WALMART, INC.'s behalf at 300 Montvue Road, Knoxville, TN 37919-5546.

**FACTUAL BACKGROUND**

4. This action arises from injuries suffered by the Plaintiff as he was shopping at the retail store owned and operated by WALMART, INC. at 3050 Wilma Rudolph Boulevard, Clarksville, Tennessee 37040 on August 2, 2019.

5. On August 2, 2019, the Plaintiff, DAVIE STACKER, was walking

**EXHIBIT B**

through the store when he fell to the ground as a result of a wet and slippery substance that was carelessly left on the floor by the Defendant, WALMART, INC.

6. The Plaintiff, DAVIE STACKER, was acting reasonably, paying proper attention to his surroundings and behaving as any normal person would behave at all times leading up to the fall that caused him to sustain serious and painful injuries.

### **ALLEGATIONS OF NEGLIGENCE**

7. Defendant, WALMART, INC., negligently and carelessly failed to make proper safety inspections of the shopping area referenced above, failed to keep the shopping area referenced above maintained so that it would be safe for customers, and failed to use due care for the safety of the shoppers who were attracted to their store, including the Plaintiff, DAVIE STACKER. These actions proximately caused the wet and slippery substance to be left on the floor, which caused the Plaintiff, DAVIE STACKER, to fall to the ground and suffer damages and injuries.

### **DAMAGES**

8. As a direct result of the negligent actions referenced above, Defendant, WALMART, INC., proximately caused physical, mental, and emotional injuries, lost wages, and a loss of the enjoyment of life to the Plaintiff, DAVIE STACKER, that is ongoing and permanent, for all of which she deserves to be compensated.

9. As a direct result of the negligent actions referenced above, Defendant, WALMART, INC., caused the Plaintiff, DAVIE STACKER, to incur medical expenses for all of which he deserves to be compensated.

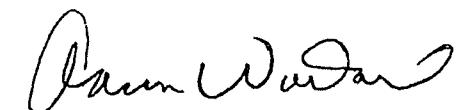
### **PRAYER FOR RELIEF**

Wherefore, Plaintiff, DAVIE STACKER, prays for process to issue and be served against the Defendant, WALMART, INC.. Plaintiff, DAVIE STACKER, also prays for all general and special relief available, including a jury of twelve peers to decide the outcome of this action and to reimburse him for all harms and losses

proximately caused by the Defendant. The Plaintiff, DAVIE STACKER, will respect the jury's decision regarding any monetary amounts determined to equal the harms and losses caused, but asks that no amount greater than one million dollars (\$1,000,000.00) be considered as compensation for his losses. As the losses are continuing and ongoing for the Plaintiff, DAVIE STACKER, it is impossible to determine the total harms and losses proximately caused by the Defendant at this time.

Respectfully Submitted,

The Law Office of Aaron Woodard



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